



Legislative Bulletin.....November 16, 2005

Contents:

H.R. 1065 — United States Boxing Commission Act

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 1

Total Cost of Discretionary Authorizations: \$26 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: see below

Total New Private Sector Mandates: see below

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.R. 1065 — United States Boxing Commission Act (Stearns, R-FL)

Order of Business: The bill is scheduled to be considered on Wednesday, November 16th, subject to a structured rule (H.Res. 553), which makes in order five amendments summarized in a separate document.

Summary: H.R. 1065 establishes a **new, three-member Federal Boxing Commission** with oversight responsibilities for professional boxing in the United States. The commissioners are to be appointed by the President, with the advice and consent of the Senate, and shall serve no more than two year terms. They are to be paid at the federal executive level that in 2005 is \$140,300 each. The Commission may employ an executive director, a general counsel, and a

“such additional staff as the Commission considers appropriate,” and pay them each at a rate, which in 2005, is \$131,400.

The bill defines the general functions of the Commission as:

- “to protect the general interests of boxers consistent with the provisions of this Act;
- “to ensure uniformity, fairness, and integrity in professional boxing; and
- “except as otherwise determined by the Commission, oversee all professional boxing matches in the United States.”

The Commission is prohibited from promoting boxing events or boxers, and the Commission would sunset after 12 years.

Licensing and Registration:

The Commission will establish licensing procedures and standards and issue federal boxing licenses for a renewable 4-year term to a boxer and a 2-year term for any other person. Under H.R. 1065, one year after enactment no person may compete in a professional boxing match or serve as a boxing manager, boxing promoter, matchmaker, judge, referee, or sanctioning organization for a professional boxing match, unless they have a federal boxing license.

The Commission shall establish and maintain (or authorize a third-party to do so on its behalf), “a unified national computerized registry for the collection, storage, and retrieval of such information as the Commission shall prescribe by rule related to the performance of its duties.”

Revocation of license or registration:

- The Commission, after notice and opportunity for a hearing, may suspend or revoke any license issued under this Act if the Commission under certain conditions, including if “bribery, collusion, intentional losing, racketeering, extortion, or the use of unlawful threats, coercion, or intimidation have occurred in connection with a license.”

Fees:

The Commission may prescribe and charge reasonable fees for the boxing licensing, while ensuring that, to the maximum extent practicable: club boxing is not adversely affected; sanctioning organizations and promoters pay comparatively the largest portion of the fees; and boxers pay as small a portion of the fees as is possible.

Subpoena Powers:

H.R. 1065 grants the Commission subpoena powers to compel the attendance of witnesses in any investigation deemed necessary to determine a licenses or regulation violation. These powers are enforceable by action though the U.S. District courts.

The Commission is also authorized to intervene in any civil action relating to professional boxing filed in the U.S. district court.

Supersedes State and Local Boxing Commissions:

The bill indicates that nothing in the act “prohibits any boxing commission from enforcing local standards or requirements that **exceed the minimum standards or requirements promulgated by the Commission** under this Act” (emphasis added). In other words, current standards for local and state boxing commissions, where they conflict and do not exceed the new federal boxing standards, are no longer enforceable. The Committees explain this federal preemption by stating that “Because the states and tribal authorities have regulated professional boxing, laws and regulations governing professional boxing have varied in both nature and enforcement[, T]he Commission will eliminate this inconsistency by establishing uniform minimum standards, which states must follow.”

The bill also stipulates that “nothing in this Act prohibits any boxing commission from exercising any of its powers, duties, or functions with respect to the regulation or supervision of professional boxing or professional boxing matches **to the extent not inconsistent with the provisions of this Act**” (emphasis added).

Studies & Reports:

The Commission shall also conduct studies on aspects of professional boxing, including a report on health and safety issues and “the availability of health insurance for boxers.” A report on this study must be submitted to Congress within a year, which shall include recommendations to “improve the health and safety aspects of boxing.”

The new federal boxing commission is required under H.R. 1065 to conduct a study on how the term “promoter” should be defined for purposes of the United States Boxing Commission Act.

Annually, the Commission is to issue and publicize a report on the progress made at federal and state levels and on Indian lands in the reform of professional boxing, which shall include comments on issues of continuing concern to the Commission.

Committee Action: The bill was introduced on March 2, 2005, and referred to the House Energy and Commerce Committee, the Education and Workforce Committee and the Judiciary Committee. The Energy and Commerce Committee held a mark-up on June 29 and reported the bill to the floor, by a vote of 25-16, the 16 no votes being all Republicans. The Judiciary Committee marked up the bill on September 29 and ordered the bill reported by voice vote. The Education and Workforce Committee did not consider the bill.

Cost to Taxpayers: CBO estimates that enacting H.R. 1065 would cost \$5 million in 2006 and \$26 million over the 2006-2010 period, subject to appropriations.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill creates a new federal boxing commission, reportedly the first ever federal sports commission.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes, by placing requirements on boxing commissions run by state and tribal governments, H.R. 1065 would impose intergovernmental mandates. CBO estimates that the cost for those mandates would not be significant and would not exceed the \$62 million FY05 threshold under UMRA. H.R. 1065 would impose several private-sector mandates, as defined in UMRA, on the boxing industry. CBO estimates that the total direct cost of those mandates would fall below the \$123 million FY05 threshold established by UMRA for private-sector mandates.

Constitutional Authority: The Committees find, in Report 109-209, constitutional authority under Article I, Section 8, Clause 3 (commerce clause).

RSC Staff Contact: Sheila Cole; sheila.cole@mail.house.gov; (202) 226-9719

This document was created with Win2PDF available at <http://www.daneprairie.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.